

**MATAGORDA COUNTY NAVIGATION DISTRICT NO. ONE**  
**MINUTES OF THE BOARD OF COMMISSIONERS**  
**REGULAR BOARD MEETING**  
**MAY 21, 2025**

I. Chairman Schulman called the meeting of May 21, 2025, to order at 1:03 p.m. Chairman Schulman announced the Notice of Meeting had been duly posted and there was a quorum present. The Pledge of Allegiance was recited. Chairman Schulman welcomed those in attendance and thanked them for coming.

**ATTENDEES:**

David Aparicio, Commissioner (*left 1:58*)  
Carlos Duran, Commissioner  
Victor Eggemeyer, Commissioner  
Jimmy E. Neeley, Commissioner  
Alan Schulman, Chairman  
Verna H. Williams, Port Office Mgr.  
Isidro Castanon, Port Attorney

Jose Ortiz, Maintenance Contractor  
Ryan West, Palacios Beacon  
Matt Glaze, Urban Engineering  
Michael Schneider, Collins Engineers  
Tanner Harmon, Collins Engineers  
Jason Foltyn, Gannett Fleming TranSystems

Mr. Jason Foltyn, with Gannett Fleming TranSystems (GFT), introduced himself. They are an engineering and infrastructure solutions provider. We have also done grant writing. We have done Coastal work with several Ports (Port of Freeport, Port of Houston, Sabine Pass) and we have worked with the Corps of Engineers. I just wanted you to know we are here to assist you or just to answer questions. Feel free to call me.

**II. 1. Consideration and approval of minutes of previous meetings (4/16 & 4/25).** Minutes from the Regular Board Meeting of April 16, 2025, were reviewed. Commissioner Neeley moved to accept the minutes. Commissioner Aparicio seconded the motion. All voted affirmatively and the motion passed.

Minutes from the Special Called Board Meeting of April 25, 2025, were reviewed. Commissioner Eggemeyer moved to accept the minutes. Commissioner Duran seconded the motion. All voted affirmatively and the motion passed.

**II. 2. Consideration and approval of Lease Activity since last Regular Board Meeting.** Chairman Schulman reported there is no lease activity. No motion required.

**II. 3. Consideration and possible action to accept Urban Engineering's recommendation of successful bidder for MCND #1 Business Highway 35 & 12<sup>th</sup> Street Drainage Improvements TxDOT Rider 38 (Project #9400-00-028).** Chairman Schulman stated, Urban put out for bid for the Business Highway 35 & 12<sup>th</sup> Street Drainage Improvements TxDOT Rider 38 towards the end of March. The bid submission date was April 23<sup>rd</sup> with a bid opening at 2 pm on that date. Urban's Recommendation is to award the bid to TLC Construction Contract Services, Inc. They were the only bid for this project. Matt recommends the total Base Bid be accepted for the amount of \$1,560,287.00 and recommends awarding the Alternate Bids as determined by the Board. Matt Glaze with Urban Engineering went over the Bid Tabulation sheets. After some discussion, Commissioner Aparicio made a motion to accept Urban Engineering's recommendation of TLC Construction Contract Services, Inc., for Base Bid and Alternate bids totaling \$1,983,949.00 for MCND #1 Business Highway 35 & 12<sup>th</sup> Street Drainage Improvements TxDOT Rider 38 (Project #9400-00-028). Commissioner Neeley seconded the motion. All voted affirmatively and the motion passed.

**II. 4. Consideration and possible action to approve Bank Depository Contracts.** Chairman Schulman stated, Anette Uher did the process of Requesting Proposals for Bank Depository Contracts for Managing Bank and Participating Banks. Two proposals were received, and each were analyzed and compared them for the best value to the District. Anette Uher recommends that we continue to do business with the Prosperity Bank as a Managing Bank and First Financial Bank as Participating Bank (day-to-day operations). First Financial Bank will continue to have a sweep to the Prosperity Bank Money Market Account of any amount over \$50,000 at the beginning of each month. Commissioner Aparicio made a motion to approve Bank Depository Contracts with Prosperity Bank and First Financial Bank. Commissioner Eggemeyer seconded the motion. All voted affirmatively and the motion passed.

**II. 5. Discussion on CSRS May 2025 Report “Port Infrastructure Development Program Energy and Resilience Improvement Project”.** Michael Schneider, Regional Manager and Tanner Harmon, Project Manager on Design, both with Collins Engineers spoke to the Board with a follow-up from the last visit to the Board from Collins Engineers. They are currently working with MARAD/CSRS to get permits done. We have come up with costs for steel bulkhead to be installed, which we are roughly 60% complete. After some discussion with the Commissioners, it was decided Collins Engineers should do estimates on cost for concrete bulkhead. They will have this information for the June 11<sup>th</sup>, Regular Board Meeting.

**III. INTERNAL & FINANCIAL REPORTS** for Board discussion and appropriate action Internal Reports.

- a. Contractor’s Port Maintenance Report
- b. Port Director’s Operations (Isidro Castanon)

**Consideration and approval of Current Voucher Control Report.** Commissioner Neeley made a motion to accept the Current Voucher Control Report. Commissioner Duran seconded the motion. Motion passed by majority vote. Commissioner Aparicio is not present.

**Consideration and approval of Current Register Reports.** After review, Commissioner Neeley made a motion to approve the current Register Reports. Commissioner Duran seconded the motion. Motion passed by majority vote. Commissioner Aparicio is not present.

**Consideration and approval of Current Investment Activity Report.** Mrs. Gonzalez reported on the Current Investment Activity Report. Commissioner Eggemeyer made a motion to approve the Current Investment Activity Report. Commissioner Neeley seconded the motion. Motion passed by majority vote. Commissioner Aparicio is not present.

**IV. EXECUTIVE SESSION** – At 2:09 p.m., {Commissioner Aparicio present 2:29-3:30 pm} The Board went into an Executive Session, as authorized by the Texas Government Code Sections 551.071, 551.072, 551.074 and 551.087 of the Open Meetings Act, permitting discussion and deliberation in an Executive Meeting for the following purposes:

1. Consultation with Attorney on legal matters as permitted under Sections 551.071 including, but not limited to some of the other matters listed below to be discussed in Executive Session.
2. To conduct deliberations regarding real property and to conduct deliberations regarding economic development as permitted under Sections 551.072 and 551.087 including, but not limited to the following matters:

- a. Discussion concerning future development of properties and leases, including Serendipity property and Heavy Haul Road
- b. Discussion to the purchase, exchange, lease or value of real property
- c. Discussion on economic development
- d. Discussion on concerning default leases
- e. Discussion on repair of Port property

**V. RETURN TO OPEN SESSION** – The Commissioners returned to Open Session at 5:10 p.m. Commissioner Eggemeyer made a motion to increase the late fee to 10 percent of the monthly rent on all new Commercial Leases and all Commercial Leases being renewed. Commissioner Neeley seconded the motion. Motion passed by majority vote. Commissioner Aparicio was not present. No other motions were offered for action from the Executive Session.

**VI. SCHEDULE THE NEXT MEETING DATE, TIME, AND PLACE.** The next Regular Board Meeting was scheduled for Wednesday, June 11, 2025, at 1:00 p.m. at the Port Administration Building.

**VII. ADJOURNMENT.** Commissioner Eggemeyer moved to adjourn and was seconded by Commissioner Neeley the motion carried, and the meeting adjourned at 5:14 p.m.

  
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Carlos Duran, Secretary